

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VENTAS REALTY, LIMITED)	
PARTNERSHIP,)	
)	
Plaintiff,)	
)	No. 12-CV-3107
)	
v.)	Judge Ronald A. Guzman
)	
)	Magistrate Judge Sidney I Schenkier
ALC CVMA, LLC, ALC GGMG, LLC)	
ALC HTIF, LLC, ALC PEDG, LLC, ALC)	
TPCG, LLC, ALC TISSC, LLC, ALC)	
TSKG, LLC AND ALC WRWG, LLC, and)	
ASSISTED LIVING CONCEPTS, INC.)	

Defendants.

**ALL DEFENDANTS' MOTION FOR A PROTECTIVE ORDER
FROM CERTAIN DISCOVERY**

All defendants named in the above caption, by their counsel, respectfully move this Court for a order protecting them from certain improper discovery. This motion is brought pursuant to FRCP 26(c)(1). Specifically, all defendants seek an order striking two interrogatories, two requests for production of documents and a 30(b)(6) notice of deposition propounded by plaintiff Ventas Realty, Limited Partnership ("Ventas"). In light of this request, the defendants also seek dispensation of the need to produce a privilege log of these uniformly protected matters. These discovery requests seek, in impermissibly broad terms, documents and information concerning a privileged and confidential investigation being conducted by the Assisted Living Concepts, Inc.'s Audit Committee of its Board of Directors. A memorandum of law and two declarations are being filed in establish the grounds of this motion. This will certify

that prior to bringing this motion, the parties conducted a conference, by telephone, in accordance with Local Rule 37.2 in an effort to resolve this matter amicably and without the need for a motion. On behalf of the defendants, Attorneys John Rothstein and Len Shifflett participated, and on behalf of the plaintiff, Attorneys Roger Stetson and Rupa Rajagopalm participated. The phone conference was held on the morning of June 5, 2012. After sincere efforts to resolve the matter, that parties were unable to avoid the need for assistance by the Court.

Dated this 5 day of June, 2012.

/s/ John A. Rothstein

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